

CHEE & MARKHAM
Attorneys At Law

GREGORY K. MARKHAM (3453-0)
KEITH K. KATO (5320-0)
DESIREE HIKIDA MOKUOHAI (7793-0)
 1000 American Savings Bank Tower
 1001 Bishop Street
 Honolulu, Hawaii 96813
 Telephone: (808) 523-0111
 Facsimile: (808)523-0115
 Email: gmarkham@cheemarkham.com
kkato@cheemarkham.com
dmokuohai@cheemarkham.com

RECEIVED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

SEP 20 2006

at 2 o'clock and 1/2 past 3
 SUE BEITIA, CLERK

Attorneys for Defendant/Limitation Plaintiff
MORNING STAR CRUISES, INC.

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF HAWAII

In the Matter of	) CV. NO. 03-00672 SOM-BMK
)
The Complaint of MORNING STAR)
CRUISES, INC., a Hawaii corporation.)
)
SHIROH FUKUOKA, Individually and	) CV. NO. 04-00588 SOM-BMK
as Personal Representative of THE)
ESTATE OF MITSUKO FUKUOKA,	) [CONSOLIDATED]
and as Next Friend of MIHO)
FUKUOKA, a Minor,)
Plaintiffs,	) DEFENDANT/LIMITATION
vs.	) PLAINTIFF'S DISCLOSURE OF
	) EXPERT WITNESSES PURSUANT
MORNING STAR CRUISES, INC., a	) TO RULE 26; EXHIBITS "1"- "2";
Hawaii corporation; JOHN DOES 1-)
10, JANE DOES 1-10, DOE	) CERTIFICATE OF SERVICE

ORIGINAL

(b) (6)

CORPORATIONS 1-10, DOE	) Trial: February 21, 2007
PARTNERSHIPS 1-10, DOE JOINT	) Time: 9:00 a.m.
VENTURERS 1-10, DOE LIMITED	) Judge: Hon. Susan Oki Mollway
LIABILITY ENTITES 1-10, DOE)
NON-PROFIT ENTITES, 1-10, DOE)
GOVERNMENTAL ENTITIES 1-10,)
DOE UNINCORPORATED)
ENTITIES 1-10, and OTHER DOE)
ENTITES 1-10,)
Defendants.)

**DEFENDANT/LIMITATION PLAINTIFF'S
DISCLOSURE OF EXPERT WITNESSES PURSUANT TO RULE 26**

COMES NOW Defendant/Limitation Plaintiff MORNING STAR CRUISES, INC., (hereinafter referred to as "Morning Star") by and through its attorneys, the law firm of Chee & Markham, and pursuant to Rule 26 of the Federal Rules of Civil Procedure and this Court's Amended Rule 16 Scheduling Order filed July 5, 2006, hereby discloses the following expert witnesses it expects to utilize in this litigation:

EXPERT WITNESS

1. William J. Brady, M.D.
1750 SW Skyline Blvd., Suite 120
Portland, Oregon 97221

Dr. Brady will testify as to liability and damages surrounding the incident and his report, resume and fee schedule is attached hereto as Exhibit "1."

2. Investigating Officer or designated representative
Command Sector - Honolulu
USCG Integrated Support Command
US Coast Guard, Investigative Service
400 Sand Island Parkway
Honolulu, Hawaii 96819

Said investigating officer or designated representative will testify as to liability surrounding the incident and its investigation report is attached hereto as Exhibit "2."

Defendant/Limitation Plaintiff hereby gives notice that it intends to seek leave of Court to amend its disclosure of expert witnesses to add critical expert witnesses and/or rebuttal expert witnesses should on-going discovery in this case so necessitate. Defendant/Limitation Plaintiff will disclose its final expert's report, resume and fee schedule as provided for in the Stipulation entered September 15, 2006.

DATED: Honolulu, Hawaii, September 20, 2006.



**GREGORY K. MARKHAM
KEITH K. KATO
DESIREE HIKIDA MOKUOHAI**

Attorneys for /Defendant
Defendant/Limitation Plaintiff
MORNING STAR CRUISES, INC.